

AMENDED

ASSIGNED

Serial No. 28582

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

AUG 5 1974

Date of filing in State Engineer's Office

Returned to applicant for correction

Dec. 6, 1973, under

Corrected application filed

Map filed 24421, PBU

The applicant Cecil R. and May D. Martin

P. O. Box 501

of Winnemucca

Street and No. or P.O. Box No.

City or Town

Nevada 89445

State and Zip Code No.

, hereby make<sup>s</sup> application for permission to change the

place of use.

of water heretofore appropriated under application 16821, Cert. 5709.

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Rose Creek

Name of stream, lake or other source.

2. The amount of water to be changed 3.3 CFS

Second feet, acre feet.

3. The water to be used for irrigation

If for stock state number and kind of animals.

4. The water heretofore used for irrigation

If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 26, T35N, R36E, M.D.B.M.

or at a point from which the NW cor. of said Sec. 26 bears N59°13'W  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
5130.0 feet.  
stated.

6. The existing point of diversion is located within

If point of diversion is not changed, do not answer.

7. Proposed place of use S.  $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 18; NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 19,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

all in T35N, R37E, M.D.B.M. SW $\frac{1}{4}$  & SE $\frac{1}{4}$  of Sec. 24, T35N, R36E,  
M.D.B.M. 375.16 ac.

8. Existing place of use E.  $\frac{1}{2}$  SW $\frac{1}{4}$ , W.  $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 24, T35N, R36E, M.D.B.M.

Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

38.47 ac.

9. Use will be from 1 JANUARY to 31 DECEMBER of each year.

Day and Month

Day and Month

10. Use has been from 1 JANUARY to 31 DECEMBER of each year.

Day and Month

Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) reservoir, headgate and ditches.

State manner in which water is to be diverted, whether by dam or other works,

whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$5,000.00
13. Estimated time required to construct works.....now completed
14. Estimated time required to complete the application of water to beneficial use.....now completed
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

this is one of several simultaneous applications to change the place of use in order to co-mingle all water for more efficient irrigation practice.

Compared to/bs.....lk/cv.....Applicant Cecil Martin

By s/ C. H. Ketcham

Winnemucca, Nev. 89445

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Rose Creek as heretofore granted under Permit 16821, Certificate 5709 is issued subject to the terms and conditions imposed in said Permit 16821, Certificate 5709 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.3.....cubic feet per second, but not to exceed

115.41 acre-feet annually.

Actual construction work shall begin on or before.....February 12, 1975

Proof of commencement of work shall be filed before.....March 12, 1975

Work must be prosecuted with reasonable diligence and be completed on or before.....February 12, 1975

Proof of completion of work shall be filed before.....March 12, 1975

Application of water to beneficial use shall be made on or before.....February 12, 1976

Proof of the application of water to beneficial use shall be filed on or before.....March 12, 1976

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....FEB 4 1975

Completion of work filed.....FEB 4 1975

Proof of beneficial use filed.....JAN 31 1977

Cultural map filed.....JAN 31 1977

Certificate No. 7034 Issued 5-24-77

Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 12th day of December

A.D. 19 74

State Engineer